IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

WRIT PETITION NO : 18726 of 1994

Between:

Md. Abdul Ghani S/o late Kasim Ali
Typist, O/o the Dy. Executive Engineer (Marketing) Khammam

..... PETITIONER

AND

1. The Government of Andhra Pradesh,
represented by Special Secretary,
Finance & Planning (FW.P.C.III) Department. Secretariat, Hyderabad.
2. The Director of Marketing, Government of Andhra Pradesh,
BRKR Bhavan, Tankbund, Hyderabad
3. The Deputy Executive Engineer (Marketing) Near Siddareddy College,
Marketing Office Complex, Grain Market, Khammam
4. The Agricultural Market Committee Grain Market, Khammam,
represented by Secretary
5. M. Srinivas S/o Ramanandham R/o 7-14,Julagam Nagar, Khammam.
6. The Executive Engineer (Marketing) Warangal.

R-5 was impleaded as per Court order dt.14-12-1994 in WPMP.No.24572 of 1994

R-6 was impleaded as per Court order dt.24-11-1997 in WPMP.No.35657 of 1997

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or order or direction, in the nature of writ declaring the action of the respondents in not regularising the services of the petitioner as typist as illegal, irregular, arbitrary, voilative of Arts. 14 & 16 of the Constitution of India, Voilative of the Principles of natural justice and contrary to G.O.Ms.No.212 Finance & Planning (FW.PC.III) Department dated 22-04-1994 and to direct the respondents to regularise the services of the petitioner as typist with all consequential benefits.

Counsel for the Petitioner: MR. J. V. PRASAD

Counsel for the Respondents 1 to4 & 6: GP FOR AGRICULTURE and COOPERATION

Counsel for the Respondent No.5: MR. M. SURENDER RAO.

The Court made the following:

ORDER:

Heard both sides.

2. This writ petition is filed challenging the action of the respondents in not regularizing the services of the petitioner as Typist as being illegal, arbitrary and contrary to the G.O.Ms.No.212 Finance & Planning (FW.PC.III) Department dated 22-04-1994 and consequently to direct the respondents to regularize the services of the petitioner as Typist.

3. It is represented by the learned Counsel for the petitioner that this Court while admitting the writ petition on 18-10-1994 in W.P.M.P.No.22962 of 1994 directed the third respondent not to fill up the post of Typist, pending further orders. Subsequently, this Court in W.P.M.P.No.17693 of 1995 by order dated 26-12-1995 directed the respondents 1 to 4 to consider the case of the petitioner for appointment to the post of Typist in the existing vacancies, in accordance with the Rules, pending further orders, and pursuant to the said orders, the petitioner has been continuing as such till now. It is further stated that the petitioner is continuing as typist pursuant to the directions of this Court, therefore, no further orders are required to be passed in the circumstances no further orders need to be passed in this writ petition. However, the respondents1 to 4 are directed to consider the case of the petitioner, as and when fresh vacancy arises, for regularisation of his services in the post of typist.

4. The writ petition is accordingly disposed of. No costs.

_____

GHULAM MOHAMMED, J

Dt.30-09-2004

Glv/kk

Copies to:

1. The Special Secretary, Government of Andhra Pradesh,
Finance & Planning (FW.P.C.III) Department, Secretariat, Hyderabad.
2. The Director of Marketing, Government of Andhra Pradesh,
BRKR Bhavan, Tankbund, Hyderabad.
3. The Deputy Executive Engineer (Marketing) Near Siddareddy College,
Marketing Office Complex, Grain Market, Khammam
4. The Secretary, Agricultural Market Committee, Grain Market,
Khammam,
5. The Executive Engineer (Marketing) Warangal.

6. Two CC to Government Pleader for Agriculture and Cooperation,
High Court Buildings, Hyderabad. (OUT)

7 Two CD copies.